



City and County of Swansea

Minutes of the **Standards Committee**

Committee Room 5, Guildhall, Swansea

Friday, 7 July 2017 at 9.35 am

Present:

Councillor(s)

J A Hale

Councillor(s)

L G Thomas

Councillor(s)

Co-opted Member(s)

J Burgess

Co-opted Member(s)

G Evans

Co-opted Member(s)

M Williams

Officer(s)

Huw Evans

Allison Lowe

Tracey Meredith

Head of Democratic Services

Democratic Services Officer

Head of Legal, Democratic Services and Business
Intelligence and Monitoring Officer

Apologies for Absence

Councillor(s): M B Lewis

Community / Town Council Representative: P Crayford

1 Election of Chair for the Municipal Year 2017-2018.

RESOLVED that Jill Burgess be elected Chair for the Municipal Year 2017-2018.

(JILL BURGESS, CHAIR PRESIDED)

2 Election of Vice Chair for the Municipal Year 2017-2018.

RESOLVED that Margaret Williams be elected Vice Chair for the Municipal Year 2017-2018.

3 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interests were declared:

- 1) Councillor J A Hale declared a personal and prejudicial interest in Minute 10 "Requests for Dispensations" and withdrew from the meeting prior to the item being discussed.

4 Minutes.

RESOLVED that the minutes of the Standards Committee held on 20 January 2017 be signed and approved as a correct record.

Matters Arising:

Item 23 – Update on Independent Member of Standards Committee Vacancies (Verbal)

The Head of Democratic Services provided a verbal update on the current situation. Following re-advertisement to a wider audience, 25 applications had been received.

Shortlisting is scheduled for 24 July and interviews are scheduled for 4 September 2017.

5 Model Local Resolution Protocol for Community and Town Councils.

The Monitoring Officer updated the Standards Committee on the Local Resolution Protocol for Community and Town Councils as supported by Once Voice Wales.

RESOLVED that the Standards Committee approve and encourage the adoption of the Model Local Resolution Protocol for Community and Town Councils and that a letter be sent to all Clerks of Community and Town Councils encouraging them to adopt a Protocol.

6 Code of Conduct Casebook.

The Monitoring Officer updated the Standards Committee on the Ombudsman's Code of Conduct Casebooks.

She highlighted certain cases in both Issue 11 January 2017 and Issue 12 April 2017 and also the table on page 25 of the agenda pack which showed that 14% less code complaints had been made in 2015/16. The PSOW believed that this was due to the introduction of local resolution protocols for county councils.

She also provided a verbal update on Adjudication Panel for Wales cases.

RESOLVED that the updates be noted.

7 Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW).

The Monitoring Officer provided a list of Complaints made to the Public Services Ombudsman for Wales (PSOW) in relation to alleged Breaches of the Code of Conduct.

RESOLVED that the report be noted.

8 Workplan 2017-2018 (Verbal).

The Head of Democratic Services outlined the following items for the work plan.

- Code of Conduct Cases;
- Discussions with Groups Leaders / Chairs of Committees – due to the Local Government Election and 2 new Group Leaders, it was felt that in order to give the new Councillors time to “bed in” that these discussions should start in January 2018;
- Code of Conduct Training (in addition, Co-Opted Members should be informed of other training events scheduled);
- Review of the Terms of Reference and overseeing Members Interests.

9 Exclusion of the Public.

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

RESOLVED that the public be excluded for the following items of business.

(CLOSED SESSION)

10 Requests for Dispensations.

The Monitoring Officer provided a report to consider applications for dispensations in relation to the following Councillors:

- i) S M Jones
- ii) J A Hale
- iii) M Thomas
- iv) M C Child
- v) C A Holley
- vi) T M White
- vii) F M Gordon

In considering the granting of dispensations, the Committee need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a representative group of members of the Authority.

A failure to grant a dispensation which results in an authority or committee not achieving a quorum, can constitute grounds for granting a dispensation.

- i) **RESOLVED** that that the Standards Committee grant Councillor S M Jones dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Education matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to her son.

- ii) **RESOLVED** that that the Standards Committee grant Councillor J A Hale dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Adult Social Services matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to his wife.

In relation to Councillor J A Hale's request for Dispensation in relation to his Trade Union role, the Committee requested further information on this matter.

- iii) **RESOLVED** that that the Standards Committee grant Councillor M Thomas dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Adult Social Services matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to his wife.

- iv) **RESOLVED** that that the Standards Committee grant Councillor M C Child dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To exercise executive powers, stay, speak and vote and make oral and written representations in respect of issues involving Adult Social Services matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to Tŷ Waunarlwydd Care Home and/or his mother.

- v) **RESOLVED** that that the Standards Committee grant Councillor C A Holley dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Adult Social Services matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to his daughter.

- vi) **RESOLVED** that that the Standards Committee grant Councillor T M White dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Education matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to his daughter.

In relation to Councillor T M White's request for Dispensation in relation to his son being in receipt of single owner occupier (Council Tax) reduction. The Committee requested further information on this matter.

- viii) **RESOLVED** that that the Standards Committee grant Councillor F M Gordon dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Poverty Team, Families First and Early Intervention matters.

The dispensation shall NOT apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to her son.

All the above Dispensations will cease at the next Local Government Election in May 2022.

The meeting ended at 11.27 am

Chair